

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:
ELAINA LIVA,
DEBTOR.

Case No.: 19-25392 (RG)
Chapter: 7
Judge: Rosemary Gambardella

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Steven P. Kartzman, Chapter 7 Trustee, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk:	Jeanne A. Naughton, Clerk Martin Luther King Jr. Federal Building 50 Walnut Street, P.O. Box 1352 Newark, New Jersey 07102
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If an objection is filed, a hearing will be held before the Honorable Rosemary Gambardella on February 8, 2022 at 10:00 a.m. at the United States Bankruptcy Court, Courtroom No. 3E, Martin Luther King Jr. Federal Building, 50 Walnut Street, Newark, New Jersey (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action: The Trustee reached a settlement of the Debtor's Claims against her ex-husband's decedent estate [Dkt. Nos. 103, 104], which will result in the Bankruptcy Estate's (the "Estate"), receipt of about \$317,000. After the costs to recover those funds are deducted, and pursuant to a Consent Order with the Debtor entered on January 2, 2020, the Debtor will receive 80% of the net sum. A restitution judgment was recorded as a lien in the Bergen County Clerk's Office, held by the United States of America against Elaina Liva a/k/a Elaina Maria Gulino a/k/a Elaina Gulino a/k/a Elaina G. Liva, which lien was recorded on May 3, 2019, by the Bergen Country Clerk in Book No. 03234 at Page No. 0408 (the "Restitution Lien"). The Trustee entered into negotiations with the United States, and an agreement was reached which resolves the Restitution Lien as to the Debtor's portion of the proceeds from the decedent estate.

Pertinent terms of settlement: The Trustee shall pay the sum of \$48,878.80 to Debtor upon distribution of the Decedent Estate Proceeds. The remainder of the Debtor's 80% distribution shall be remitted to the United States in exchange for a release of the Restitution Lien. The Trustee believes that the settlement is in the best interest of the estate as it maximizes value and will avoid unnecessary litigation, the cost of which would necessarily diminish any additional recovery.

Objections must be served on, and requests for additional information directed to:

Name: Steven A. Jayson, Esq., Mellinger Kartzman LLC

Address: 101 Gibraltar Drive, Suite 2F, Morris Plains, New Jersey 07950

Telephone No.: (973) 267-0220